

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

JOHN HARPER,

Plaintiff,

v.

**AMUR EQUIPMENT FINANCE, INC,
WATSON & CHELIN
MANUFACTURING, INC, ARTISAN
AND TRUCKERS CASUALTY
COMPANY,**

Defendants.

Case No. 3:22-cv-01723-YY

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION**

John Harper, PO Box 55695, Portland, OR 97238. Pro se litigant.

Holly C. Hayman, Margot D. Seitz, Farleigh Wada Witt, PC, 121 SW Morrison Street, Suite 600, Portland, OR 97204. Attorneys for Defendant Amur Equipment Finance, Inc.

Michael A. Yoshida, John W. Knottnerus, MB Law Group, LLP, 117 SW Taylor Street, Suite 200, Portland, OR 97204. Attorneys for Defendant Watson & Chelin Manufacturing.

Eric Jay Neal, Lether Law Group, 1848 Westlake Avenue N., Suite 100, Seattle, WA 98109. Attorney for Defendant Artisan and Truckers Casualty Company.

IMMERGUT, District Judge.

On March 3, 2023, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”). ECF 47. The F&R recommends that Defendant Watson & Chelin

Manufacturing's ("W&C") Motion to Dismiss for Lack of Personal Jurisdiction, ECF 7, should be granted, and that Plaintiff John Harper's ("Plaintiff") Motion to Supplement Complaint Against W&C, ECF 20, should be denied as moot. No party filed objections.

STANDARDS

Under the Federal Magistrates Act ("Act"), as amended, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge's F&R, "the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act "does not preclude further review by the district judge, sua sponte" whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, this Court has reviewed the F&R and accepts Judge You's conclusions. The F&R, ECF 47, is adopted in full. This Court GRANTS W&C's Motion to Dismiss for Lack of Personal Jurisdiction and dismisses the claims against W&C without prejudice. This Court DENIES Plaintiff's Motion to Supplement Complaint Against W&C as moot.

IT IS SO ORDERED.

DATED this 3rd day of April, 2023.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge